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Kenneth M. Bednasz

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EXAMINER

MARSH, OLIVIA MARIE

ART UNIT

PAPER NUMBER

2686

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/829,637

Applicant(s)

BEDNASZ, KENNETH M.

Examiner

Olivia Marsh

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/24/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 15 is objected to because of the following informalities: It is apparent to the Examiner the applicant intended for claim 15 to depend from claim 14. The Examiner will use this interpretation to apply prior art. Appropriate correction is required.
2. Claims 28-29 are objected to because of the following informalities: It is apparent to the Examiner the applicant intended for claims 28 and 29 to depend from claim 16 as claim 24 is directed towards the embodiment of disabling hands-free only mode and claims 28-29 are directed towards the enabling embodiment. The Examiner will use this interpretation to apply prior art. Appropriate correction is required.

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Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1-9, 14, 16, 19-23, 25, 30-31, 33-34, and 39-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Willner *et al* (U.S. 2003/0032434 A1).**

As to **claim 1**, Willner discloses an invention that relates to compliance with location dependent requirements, such as laws and regulations that vary from jurisdiction to jurisdiction (paragraph 1). Willner also discloses a compliance system 100 including a requirement controller 400 in communication with a user device 10 (paragraph 25), reading on claimed “mobile terminal.” Willner also discloses a user device 10 may be, for example: a wireless telephone, a portable computing device such as a laptop computer or Personal Digital Assistant (PDA), a vehicle (e.g., an automobile), a one-way or two-way pager, or any other appropriate communication device (paragraph 28), reading on claimed “a transceiver to transmit signals to and receive signals from a wireless communications network.” It is inherent that a mobile communication device operating in a wireless network would comprise a transceiver in order to communicate with the network. Willner also discloses the user device 10 receives current location information from a location device 15 and the location device 15 may be, for example, a Global Positioning Satellite (GPS) device that transmits latitude and longitude information to the user device 10 (paragraph 29). Willner also discloses the user device 10 determines the location information based on information received from the location device 15 (paragraph 33). Willner also discloses the location dependent requirement database 500 is stored locally at the

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user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77), reading on claimed "determine whether a mobile terminal is proximate a hands-free zone." Willner also discloses the user device 10 provides to the user an indication associated with a requirement (e.g., by displaying the requirement to the user) and the requirement is associated with the use or operation of the user device 10 (paragraph 28). Willner also discloses an example (paragraph 45):

Consider Alice, who is driving while using a wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed "indicate to the user whether the mobile terminal is proximate the hands-free zone based on a current location of the mobile terminal."

It is inherent for the user device 10 to comprise an controller in order for the mobile phone to operate.

As to claim 2, Willner discloses everything as applied in claim 1 and Willner also discloses, as stated previously, the user device 10 receives current location information from a location device 15 and the location device 15 may be, for example, a Global Positioning Satellite (GPS) device that transmits latitude and longitude information to the user device 10 (paragraph 29), reading on claimed "GPS receiver to provide the current location of the mobile terminal."

As to claim 3, Willner discloses everything as applied in claim 1 and Willner also discloses the requirement controller 400 determines the location information based on

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information received from a remote user device 10 (paragraph 34); reading on claimed “the wireless communications network provides the current location of the mobile terminal.”

As to **claim 4**, Willner discloses everything as applied in claim 1 and Willner also discloses the location information may comprise, for example, latitude and longitude information, map coordinate information, a location type, and/or an indication of a geographic region (e.g., indicating that the user is currently in New York state) (paragraph 33). Willner also discloses the requirement controller 400 performs such a translating the latitude and longitude into an indication associated with a jurisdiction (e.g., indicating a particular state, a town, or highway) (paragraph 36), reading on claimed “the wireless communications network provides coordinates defining the boundary of the hands-free zone.”

As to **claim 5**, Willner discloses everything as applied in claim 1 and Willner also discloses, as stated previously, the location dependent requirement database 500 is stored locally at the user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77), reading on claimed “the controller is configured to compare the current location of the mobile terminal to a location indicative of the hands-free zone.”

As to **claim 6**, Willner discloses everything as applied in claims 1 and 5 and Willner also discloses, as stated previously, the location dependent requirement database 500 is stored locally at the user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77), reading on claimed “comprising memory to store the location indicative of the hands-free zone.” It is inherent that the user device would comprise a memory to store data received from the location device 15.

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As to claim 7, Willner discloses everything as applied in claim 1 and Willner also discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location type (e.g., when the user enters a new jurisdiction) (paragraph 35). Willner also discloses based on an information received from a remote requirement controller 400, [the] wireless telephone automatically switches to such a "hands-free" mode (paragraph 45), reading on claimed "the controller is configured to enable a hands-free only mode depending on the proximity of the mobile terminal to the hands-free zone."

As to claim 8, Willner discloses everything as applied in claims 1 and 7 and Willner also discloses the requirement controller 400 may transmit requirement information to the user device 10 facilitate the user's compliance (paragraph 39), reading on claimed "the controller enables the hands-free only mode responsive to signals received from the wireless communications network."

As to claim 9, Willner discloses everything as applied in claims 1 and 7 and Willner also discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location (paragraph 35), reading on claimed "the controller enables the hands-free only mode when the mobile terminal enters the hands-free zone."

As to claim 14, Willner discloses everything as applied in claim 1 and Willner also discloses (paragraph 45):

Consider Alice, who is driving while using a wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed "mobile terminal further comprising a hands-free device."

As to **claim 16**, Willner discloses an invention that relates to compliance with location dependent requirements, such as laws and regulations that vary from jurisdiction to jurisdiction (paragraph 1). Willner also discloses a compliance system 100, reading on claimed "wireless communication system," including a requirement controller 400, reading on claimed "mobile site controller," in communication with a user device 10 (paragraph 25). Willner also discloses the requirement controller 400 and the user device 10 may communicate via a communication network 20, such as a Local Area Network (LAN), a Metropolitan Area Network (MAN), a Wide Area Network (WAN), a proprietary network, a Public Switched Telephone Network (PSTN), a Wireless Application Protocol (WAP) network, a wireless LAN (paragraph 25; Figure 1), reading on claimed "a base station to communicate within a geographical area identified as being a hands-free zone" and "mobile site controller connected to the base station." It is inherent that in order for a user device 10 and requirement controller 400 to communicate over the above listed networks via a base station. Willner also discloses the user device 10 receives current location information from a location device 15 and the location device 15 may be, for example, a Global Positioning Satellite (GPS) device that transmits latitude and longitude information to the user device 10 (paragraph 29). Willner also discloses the user device 10 determines the location information based on information received from the location device 15 (paragraph 33). Willner also discloses the location dependent requirement database 500 is stored locally at the user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77). Willner also discloses the user device 10 provides to the user an indication associated with a requirement (e.g., by displaying the requirement to the user) and the requirement is associated with the use or operation of the user device 10 (paragraph 28). Willner also discloses an example (paragraph 45):

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Consider Alice, who is driving while using a wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed "a mobile terminal to communicate with the base station in a hands-free only mode depending on the proximity of the mobile terminal to the hands-free zone."

As to **claim 19**, Willner discloses everything as applied in claim 16 above and Willner also discloses the user device 10 receives current location information from a location device 15 and the location device 15 may be, for example, a Global Positioning Satellite (GPS) device that transmits latitude and longitude information to the user device 10 (paragraph 29), reading on claimed "the mobile terminal comprises a GPS receiver to provide a current location of the mobile terminal."

As to **claim 20**, Willner discloses everything as applied in claim 16 above and Willner also discloses, as stated previously (paragraph 45):

Consider Alice, who is driving while using a wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode.

Willner also discloses the location dependent requirement database 500 is stored locally at the user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77), reading on claimed "the

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mobile terminal comprises a controller configured to enable the hands-free only mode in the mobile terminal depending upon the proximity of the mobile terminal to the hands-free zone.”

As to **claim 21**, Willner discloses everything as applied in claims 16 and 20 and Willner also discloses the location dependent requirement database 500 is stored locally at the user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77), reading on claimed “the controller compares the current location of the mobile terminal to a location indicative of the hands-free zone.”

As to **claim 22**, Willner discloses everything as applied in claims 16 and 20 and Willner also discloses the user device 10 transmits the location information to the requirement controller 400 in association with a requirement request (paragraph 35). Willner also discloses (paragraph 45):

Consider Alice, who is driving while using a wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed “the controller enables the hands-free only mode responsive to signals received from the base station.”

As to **claim 23**, Willner discloses everything as applied in claims 16 and 20 and Willner also discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location type (paragraph 35), reading on claimed “the

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controller enables the hands-free only mode when the mobile terminal enters the hands-free zone.”

As to **claim 30**, Willner discloses an invention that relates to compliance with location dependent requirements, such as laws and regulations that vary from jurisdiction to jurisdiction (paragraph 1). Willner also discloses a compliance system 100 including a requirement controller 400 in communication with a user device 10 (paragraph 25), reading on claimed “a method of controlling a mobile terminal operating in a wireless communications network.” Willner also discloses a user device 10 may be, for example: a wireless telephone, a portable computing device such as a laptop computer or Personal Digital Assistant (PDA), a vehicle (e.g., an automobile), a one-way or two-way pager, or any other appropriate communication device (paragraph 28). Willner also discloses the user device 10 receives current location information from a location device 15 and the location device 15 may be, for example, a Global Positioning Satellite (GPS) device that transmits latitude and longitude information to the user device 10 (paragraph 29). Willner also discloses the user device 10 determines the location information based on information received from the location device 15 (paragraph 33), reading on claimed “determining a current location of a mobile terminal.” Willner also discloses the location dependent requirement database 500 is stored locally at the user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77). Willner also discloses the user device 10 provides to the user an indication associated with a requirement (e.g., by displaying the requirement to the user) and the requirement is associated with the use or operation of the user device 10 (paragraph 28). Willner also discloses an example (paragraph 45):

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Consider Alice, who is driving while using a wireless telephone in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed "indicating to a user whether the mobile terminal is proximate a hands-free zone based on the current location of the mobile terminal and a location indicative of the hands-free zone."

As to claim 31, Willner also discloses everything as applied in claim 30 and Willner also discloses the user device 10 receives current location information from a location device 15 and the location device 15 may be, for example, a Global Positioning Satellite (GPS) device that transmits latitude and longitude information to the user device 10 (paragraph 29), reading on claimed "the mobile terminal computes the current location responsive to location signals received over a GPS receiver."

As to claim 33, Willner also discloses everything as applied in claim 30 and Willner also discloses the user device 10 receives current location information from a location device 15 and the location device 15 may be, for example, a Global Positioning Satellite (GPS) device that transmits latitude and longitude information to the user device 10 (paragraph 29). Willner also discloses the location information may comprise, for example, latitude and longitude information, map coordinate information (e.g., "C3"), a location type (e.g., indicating that the user is currently on an interstate highway), and/or an indication of a geographic region (e.g., indicating that the user is currently in New York state) (paragraph 33), reading on claimed "determining the proximity of the current location of the mobile terminal to the location indicative of the hands-free zone."

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As to **claim 34**, Willner also discloses everything as applied in claims 30 and 33 and Willner also discloses the requirement controller 400 determines the requirement information by retrieving pre-stored information from a database based on the location information (paragraph 38), reading on claimed "comparing the current location of the mobile terminal to the location indicative of the hands-free zone."

As to **claim 39**, Willner also discloses everything as applied in claim 30 and Willner also discloses (paragraph 45):

Consider Alice, who is driving while using wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed "indicating the proximity of the mobile terminal to the hands-free zone comprises displaying a text message over a display of the mobile terminal."

As to **claim 40**, Willner also discloses everything as applied in claim 30 and Willner also discloses (paragraph 45):

Consider Alice, who is driving while using wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed "indicating the proximity of the mobile terminal to the hands-free zone comprises activating a visual indicator on the mobile terminal."

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As to **claim 41**, Willner also discloses everything as applied in claim 30 and Willner also discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location type (paragraph 35). Willner also discloses (paragraph 45):

Consider Alice, who is driving while using wireless telephones in state where this action is permitted. Without realizing it, Alice travels into a neighboring state where it is not permitted unless a "hands-free" wireless telephone mode is used. Based on information received from a remote requirement controller 400, Alice's wireless telephone automatically switches to such a "hands-free" mode, reading on claimed "enabling a hands-free only mode when the mobile terminal enters the hands-free zone."

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Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willner as applied to claim 1 above, and further in view of Lewis (U.S. 2004/0033820 A1).**

As to claim 10, Willner discloses everything as applied in claim 1; however, Willner fails to disclose the controller enables the hands-free only mode when a user of mobile terminal places or receives a call. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Lewis.

In the same field of endeavor, Lewis teaches a hands-free kit for a mobile radiotelephone handset (paragraph 1). Lewis also teaches the earpiece is arranged to operate for periods in a standby mode, wherein one or more functions of the earpiece are disabled to conserve power, the earpiece preferably being arranged to enter the standby mode in the absence of a received signal or if a valid identification signal is not received; the or each disabled function is preferably restored in response to a received signal, preferably only if that signal comprises a valid identification signal (paragraph 39). Lewis also teaches the transmitter is preferably arranged to operate for periods in a standby mode, wherein one or more functions of the transmitter are disabled to conserve power, in the absence of an audio signal from the handset (paragraph 42). Lewis also teaches the transmitter unit 6 is arranged to periodically retransmit the identity code within an audio stream, the earpiece 4 being arranged entering a standby mode, to conserve power, in the absence of a received signal or where a valid identity

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code is not received within a period of time (paragraph 75), reading on claimed "the controller enables the hands-free only mode when a user of mobile terminal places or receives a call."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the mobile terminal and controller, disclosed by Willner, the controller enables the hands-free only mode when a user of mobile terminal places or receives a call, to reduce the power consumption of the wireless transmitter in the mobile device.

As to claim 15, Willner discloses everything as applied in claim 1 and 14; however, Willner fails to disclose the hands-free device comprises a hands-free headset. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Lewis.

Lewis teaches a hands-free kit for a mobile radiotelephone handset (paragraph 1). Lewis also teaches the transmitter unit 6 also comprises a microphone, with audio signals being transmitted from the handset to the infra-red transmitter of the unit and from the microphone to the handset, via either a wired or a wireless link, so that the handset may be located a safe distance from the user's head (paragraph 72), reading on claimed "the hands-free device comprises a hands-free headset."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the mobile terminal, disclosed by Willner, the hands-free device comprises a hands-free headset, to enable the mobile user to easily operate in a hands-free manner.

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7. Claims 17-18 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willner as applied to claim 16 and 30 above, and further in view of Ogino et al (U.S. 6,941,145 B2).

As to claim 17, Willner discloses everything as applied in claim 16; however, Willner fails to disclose a location server connected to the base station to provide a current location of the mobile terminal. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Ogino.

In the same field of endeavor, Ogino teaches an invention is related to a radio communication terminal arranged in such a manner that both retrieval timing and retrieval time, which are required to retrieve for GPS satellites, are received via a communication base station from a position information server (column 1, lines 13-17). Ogino also teaches the mobile phone 1 transmits the GPS satellite information and the nearby base station information to the position information server 4 (column 14, lines 21-24). Ogino also teaches the position information server 4 receives both the GPS satellite information and the nearby base station information from the mobile phone 1, the position information server 4 executes the positioning calculation based upon the received GPS satellite information and the received nearby base station information (column 14, lines 25-30), reading on claimed "a location server connected to the base station to provide a current location of the mobile terminal."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and base station, disclosed by Willner, a location server connected to the base station to provide a current location of the mobile terminal, as taught by Ogino, to enable the wireless communication system to determine the location of the mobile device when the location determination capabilities of the mobile device fail.

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As to **claim 18**, Willner discloses everything as applied in claim 16 and Ogino teaches everything as applied in claim 17; however, Willner fails to disclose the location server further provides a location of the hands-free zone to the mobile terminal. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Ogino.

Ogino also teaches the position information server 4 transmits a positioning result indicative of this specified present position to the mobile phone 1 and when the mobile phone 1 receives the positioning result from the position information server 4, the mobile phone 1 displays this received positioning result on the display unit 13 (column 14, lines 31-36), reading on claimed "the location server further provides a location of the hands-free zone to the mobile terminal."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and base station, disclosed by Willner, a location server connected to the base station to provide a current location of the mobile terminal, as taught by Ogino, the location server further provides a location of the hands-free zone to the mobile terminal, also taught by Ogino, to enable the wireless communication system to determine the location of the mobile device when the location determination capabilities of the mobile device fail.

As to **claim 32**, Willner discloses everything as applied in claim 30; however, Willner fails to disclose the mobile terminal receiving the current location from a base station in the wireless communications network. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Ogino.

Ogino also teaches the position information server 4 transmits a positioning result indicative of this specified present position to the mobile phone 1 and when the mobile phone 1 receives the positioning result from the position information server 4, the mobile phone 1

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displays this received positioning result on the display unit 13 (column 14, lines 31-36), reading on claimed "the mobile terminal receiving the current location from a base station in the wireless communications network."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, disclosed by Willner, the step of the mobile terminal receiving the current location from a base station in the wireless communications network, as taught by Ogino, to enable the wireless communication system to determine the location of the mobile device when the location determination capabilities of the mobile device fail.

8. Claims 28-29, 35, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willner as applied to claims 16 and 30 above, and further in view of Hunzinger (U.S. 2002/0086680 A1).

As to claim 28, Willner discloses everything as applied in claim 16; however, Willner fails to disclose the controller enables the hands-free only mode when the mobile terminal registers with the base station. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hunzinger.

In the same field of endeavor, Hunzinger teaches a system that allows wireless communication system mobile terminal users to set reminders or actions in general to occur or be triggered based on a wireless terminal's location or location dynamics (paragraph 2). Hunzinger also teaches the terminal also stores the location reminder trigger and action information and a reference to the current location 220 (paragraph 24). Hunzinger also teaches the terminal monitors the current location information and detects when the terminal has handed-off to another base-station or has exceeded a pre-set distance from the stored location (paragraph 24). It is inherent that when a mobile station hands-off to another base station, it

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must register with the base station being transferred to. Hunzinger also teaches the mobile may detect that it is has transitioned out of the area described by the stored location information or that the current location matches the stored location information 230 but the direction of travel may also be checked 235 (paragraph 24), reading on claimed "the controller enables the hands-free only mode when the mobile terminal registers with the base station."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and controller, disclosed by Willner, the controller enables the hands-free only mode when the mobile terminal registers with the base station, as taught by Hunzinger, to enable the wireless communication system to take particular actions based on the location of the wireless device within the system.

As to claim 29, Willner discloses everything as applied in claim 16; however, Willner fails to disclose the controller enables the hands-free only mode upon hand-off of the mobile terminal to the base station. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hunzinger.

Hunzinger also teaches, as stated previously, the terminal monitors the current location information and detects when the terminal has handed-off to another base-station or has exceeded a pre-set distance from the stored location (paragraph 24). Hunzinger also teaches the mobile may detect that it is has transitioned out of the area described by the stored location information or that the current location matches the stored location information 230 but the direction of travel may also be checked 235 (paragraph 24), reading on claimed "the controller enables the hands-free only mode upon hand-off of the mobile terminal to the base station."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and controller, disclosed by Willner, the controller enables the hands-free only mode upon hand-off of the mobile terminal to the base

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station, as taught by Hunzinger, to enable the wireless communication system to take particular actions based on the location of the wireless device within the system.

As to claim 35, Willner discloses everything as applied in claim 30; however, Willner fails to disclose determining a distance of the mobile terminal from the location indicative of the hands-free zone, and indicating whether the mobile terminal is proximate the hands-free zone based on the distance. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hunzinger.

Hunzinger also teaches, as stated previously, the terminal monitors the current location information and detects when the terminal has handed-off to another base-station or has exceeded a pre-set distance from the stored location (paragraph 24). Hunzinger also teaches the mobile may detect that it is has transitioned out of the area described by the stored location information or that the current location matches the stored location information 230 but the direction of travel may also be checked 235 (paragraph 24). Hunzinger also teaches the transition may be based on proximity, distance, time, time delay, signal conditions, environment, user actions, current network parameters (base station ID, pilot, system, network ID, etc) or other location or time based method (paragraph 35), reading on claimed "determining a distance of the mobile terminal from the location indicative of the hands-free zone, and indicating whether the mobile terminal is proximate the hands-free zone based on the distance."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, disclosed by Willner, the step of determining a distance of the mobile terminal from the location indicative of the hands-free zone, and indicating whether the mobile terminal is proximate the hands-free zone based on the distance, as taught by Hunzinger, to enable the wireless communication system to take particular actions based on the location of the wireless device within the system.

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As to claim 38, Willner discloses everything as applied in claim 30; however, Willner fails to disclose indicating the proximity of the mobile terminal to the hands-free zone comprises rendering an audible sound over a speaker of the mobile terminal. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Hunzinger.

Hunzinger also teaches the user may select from one or more options of actions to be executed when the reminder is triggered; examples of options include but are not limited to setting or selecting a text message, setting, recording or selecting a voice memo or voice message recording, setting or selecting a ringer, or selecting a number to be dialed or called (paragraph 30), reading on claimed "indicating the proximity of the mobile terminal to the hands-free zone comprises rendering an audible sound over a speaker of the mobile terminal."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, disclosed by Willner, the step of indicating the proximity of the mobile terminal to the hands-free zone comprises rendering an audible sound over a speaker of the mobile terminal, as taught by Hunzinger, to enable the wireless communication system to take particular actions based on the location of the wireless device within the system.

9. Claims 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willner as applied to claim 30 above, and further in view of Joyce et al (U.S. 2003/008661 A1).

As to claim 36, Willner discloses everything as applied in claim 30; however, Willner fails to disclose determining a direction of travel of the mobile terminal, and indicating whether the mobile terminal is proximate the hands-free zone based on the direction of travel. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Joyce.

In the same field of endeavor, Joyce teaches an invention relates to delivering content to a mobile terminal, and in particular, to delivering content based on a relative location between the mobile terminal and a location for the content provider (paragraph 1). Joyce also teaches the polling algorithm for the daemon would essentially identify location-based information for the mobile terminal 16 and trigger content according to any number of scenarios and the polling algorithm could also detect direction and relative or current velocity to help determine when and if to provide content (paragraph 50), reading on claimed "determining a direction of travel of the mobile terminal, and indicating whether the mobile terminal is proximate the hands-free zone based on the direction of travel."

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, disclosed by Willner, the step of determining a direction of travel of the mobile terminal, and indicating whether the mobile terminal is proximate the hands-free zone based on the direction of travel, as taught by Joyce, to provide the mobile user information based on the proximity of the user to a particular location or zone.

As to claim 37, Willner discloses everything as applied in claim 30; however, Willner fails to disclose determining a velocity of the mobile terminal, and indicating whether the mobile terminal is proximate the hands-free zone based on the velocity. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Joyce.

Joyce also teaches the polling algorithm for the daemon would essentially identify location-based information for the mobile terminal 16 and trigger content according to any number of scenarios and the polling algorithm could also detect direction and relative or current velocity to help determine when and if to provide content (paragraph 50), reading on claimed "determining a velocity of the mobile terminal, and indicating whether the mobile terminal is proximate the hands-free zone based on the velocity."

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, disclosed by Willner, the step of determining a velocity of the mobile terminal, and indicating whether the mobile terminal is proximate the hands-free zone based on the velocity, as taught by Joyce, to provide the mobile user information based on the proximity of the user to a particular location or zone.

10. Claims 11-13, 24-27, and 42 rejected under 35 U.S.C. 103(a) as being unpatentable over Willner as applied in claims 1, 16, and 30 in view of well known prior art (MPEP 2144.03).

As to claim 11, Willner discloses everything as applied in claim 1 and Willner further discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location type (e.g., when the user enters a new jurisdiction) (paragraph 35). Willner also discloses based on an information received from a remote requirement controller 400, [the] wireless telephone automatically switches to such a "hands-free" mode (paragraph 45).

However, Willner fails to specifically disclose the controller is configured to disable a hands-free only mode depending on the proximity of the mobile terminal to the hands-free zone. The Examiner contends this feature was old and well known in the art at the time of invention as taught by well-known prior art.

The Examiner takes Official Notice that it would have been obvious and well known in the art at the time of invention to desist requiring a mobile device operate in a hands-free mode if a mobile device leaves the area in which the hands-free mode was required.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the mobile terminal and controller, disclosed by Willner, the controller is configured to disable a hands-free only mode depending on the proximity of the mobile terminal to the hands-free zone, as taught by well known prior art, to enable a mobile device to return to normal operations when restricted operations are not required.

As to claim 12, Willner discloses everything as applied in claim 1 and well known prior art teach everything as applied in claim 11 and Willner also discloses the requirement controller 400 may transmit requirement information to the user device 10 facilitate the user's compliance (paragraph 39), reading on claimed "the controller disables the hands-free only mode responsive to signals received from the wireless communications network."

As to claim 13, Willner discloses everything as applied in claim 1 and well known prior art teach everything as applied in claim 11 and Willner also discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location (paragraph 35).

However, Willner fails to specifically disclose the controller disables the hands-free only mode when the mobile terminal leaves the hands-free zone. The Examiner contends this feature was old and well known in the art at the time of invention as taught by well-known prior art.

The Examiner takes Official Notice that it would have been obvious and well known in the art at the time of invention for a mobile device to desist operating in a hands-free mode if a mobile device leaves the area in which the hands-free mode was required.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the mobile terminal and controller, disclosed by Willner, the controller is configured to disable a hands-free only mode depending on the proximity of the mobile terminal

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to the hands-free zone, as taught by well known prior art, the controller disables the hands-free only mode when the mobile terminal leaves the hands-free zone, also taught by well known prior art, to enable a mobile device to return to normal operations when restricted operations are not required.

As to claim 24, Willner discloses everything as applied in claim 16 and Willner further discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location type (e.g., when the user enters a new jurisdiction) (paragraph 35). Willner also discloses based on an information received from a remote requirement controller 400, [the] wireless telephone automatically switches to such a "hands-free" mode (paragraph 45).

However, Willner fails to specifically disclose the mobile terminal comprises a controller configured to disable the hands-free only mode in the mobile terminal depending upon the proximity of the mobile terminal to the hands-free zone. The Examiner contends this feature was old and well known in the art at the time of invention as taught by well-known prior art.

The Examiner takes Official Notice that it would have been obvious and well known in the art at the time of invention to desist requiring a mobile device operate in a hands-free mode if a mobile device leaves the area in which the hands-free mode was required.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the system and controller, disclosed by Willner, the mobile terminal comprises a controller configured to disable the hands-free only mode in the mobile terminal depending upon the proximity of the mobile terminal to the hands-free zone, as taught by well known prior art, to enable a mobile device to return to normal operations when restricted operations are not required.

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As to **claim 25**, Willner discloses everything as applied in claim 16 and well known prior art teach everything as applied in claim 24 and Willner also discloses the location dependent requirement database 500 is stored locally at the user device 10 and the user device 10 may determine location information (e.g., based on information received from the location device 15) and requirement information without sending any information to the requirement controller 400 (paragraph 77), reading on claimed "the controller compares the current location of the mobile terminal to a location indicative of the hands-free zone."

As to **claim 26**, Willner discloses everything as applied in claim 16 and well known prior art teach everything as applied in claim 24 and Willner also discloses the requirement controller 400 may transmit requirement information to the user device 10 facilitate the user's compliance (paragraph 39), reading on claimed "the controller disables the hands-free only mode responsive to signals received from the base station."

As to **claim 27**, Willner discloses everything as applied in claim 16 and well known prior art teach everything as applied in claim 24 and Willner also discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location (paragraph 35).

However, Willner fails to specifically disclose the controller disables the hands-free only mode when the mobile terminal leaves the hands-free zone. The Examiner contends this feature was old and well known in the art at the time of invention as taught by well-known prior art.

The Examiner takes Official Notice that it would have been obvious and well known in the art at the time of invention for a mobile device to desist operating in a hands-free mode if a mobile device leaves the area in which the hands-free mode was required.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the system and controller, disclosed by Willner, the mobile terminal comprises a controller configured to disable the hands-free only mode in the mobile terminal depending upon the proximity of the mobile terminal to the hands-free zone, as taught by well known prior art, the controller disables the hands-free only mode when the mobile terminal leaves the hands-free zone, also taught by well known prior art, to enable a mobile device to return to normal operations when restricted operations are not required.

As to **claim 42**, Willner discloses everything as applied in claims 30 and 41 and Willner also discloses the user device 10 instead transmits location information to the requirement controller 400 upon a change in a location (paragraph 35).

However, Willner fails to specifically disclose disabling the hands-free only mode when the mobile terminal leaves the hands-free zone. The Examiner contends this feature was old and well known in the art at the time of invention as taught by well-known prior art.

The Examiner takes Official Notice that it would have been obvious and well known in the art at the time of invention for a mobile device to desist operating in a hands-free mode if a mobile device leaves the area in which the hands-free mode was required.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the method, disclosed by Willner, the step of disabling the hands-free only mode when the mobile terminal leaves the hands-free zone, also taught by well known prior art, to enable a mobile device to return to normal operations when restricted operations are not required

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olivia Marsh whose telephone number is 571-272-7912. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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